

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: BUTLER COUNTY RURAL ELECTRIC COOPERATIVE AND CITY OF FREDERICKSBURG MUNICIPAL	DOCKET NO. SPU-00-2
---	---------------------

**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARY**

(Issued April 12, 2000)

On February 24, 2000, Butler County Rural Electric Cooperative (Butler County) and City of Fredericksburg Municipal (Fredericksburg) filed a joint petition for modification of service area boundaries pursuant to 199 IAC 20.3(9) (2000). An amendment to the petition was filed on March 10, 2000. Butler County and Fredericksburg propose the Utilities Board (Board) transfer to Butler County the service territories described as follows:

All in Section 12, Township 94N, Range 11W, Chickasaw County, Iowa; NE 1/4 of the SW 1/4, SE 1/4 of the SW 1/4, and the following parcel: Beginning 198 feet south of the NE corner of the SW 1/4 of the SW 1/4; thence West 284.44 feet; thence South 510 feet; thence West 384.58 feet; thence South 612 feet; thence East 669.02 feet; thence North 1122 feet to the point of beginning.

Butler County and Fredericksburg request the Board modify the present service area boundaries consistent with the actual service provided by the utilities. When the original maps were filed in 1978, the boundary lines between Butler

County and Fredericksburg were erroneous. The proposed transfer will accurately place the electric transmission lines of Butler County and Fredericksburg within their assigned territories.

Iowa Code § 476.25 (1999) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the Butler County and Fredericksburg joint petition for modification of service area boundaries. Butler County and Fredericksburg have alleged facts which establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, will provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25 (1999). Additionally, the modification will not affect any Butler County and Fredericksburg customers.

PAGE 3

IT IS THEREFORE ORDERED:

The joint petition for modification of service area boundaries filed by Butler County Rural Electric Cooperative and City of Fredericksburg Municipal on February 24, 2000, as amended on March 10, 2000, is granted.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr. /s/ Diane Munns
Executive Secretary

Dated at Des Moines, Iowa, this 12th day of April, 2000.